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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hayden et al

Serial No: 10/617,334

Art Unit: 1656

Filed: 10 July 2003

Examiner: Steadman, D.

TITLE: METHODS AND REAGENTS FOR MODULATING CHOLESTEROL LEVELS

Docket No.: 760050-91

8 November 2006

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

SIR:

Pursuant to 37 C.F.R. §1.56(a), Applicant(s) hereby cite(s) the enclosed documents listed on the attached copy of Form PTO-1449, which may be material to the patentability of the above-identified application. Applicant(s) make no admission that the cited references are prior art or that these references are in fact material to the patentability of the above-entitled application.

This Information Disclosure Statement is filed in accordance with the paragraph of 37 CFR §1.97 indicated below:

§1.97(b) This Information Disclosure Statement is filed:

- (1) Within three months of the filing date of a national application; OR
- (2) Within three months of the date of entry of the national stage of an international application; OR

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- (3) Before the mailing of a first Office Action on the merits.  
No fee or statement is required.

X  §1.97(c) This Information Disclosure Statement is filed after the period specified in paragraph (b) above, but before the mailing date of either:

- (1) A Final Action or under 37 CFR §1.113; OR  
(2) A Notice of Allowance under 37 CFR §1.311; AND

is accompanied by either: (check one)

The statement as specified in 37 CFR §1.97(e) set out below; OR

X  The fee of \$180.00 under 37 CFR §1.17(p).

§1.97(d) This Information Disclosure Statement is filed after the mailing date of either:

- (1) a Final Action or under 37 CFR §1.113; OR  
(2) A Notice of Allowance under 37 CFR §1.311;

BUT filed on or before payment of the Issue Fee; AND

is accompanied by:

- (1) The statement as specified in 37 CFR §1.97(e) as set forth below; AND  
(2) Petition is hereby made under 37 CFR §1.97(d) for consideration of this Information Disclosure Statement; AND,  
(3) The petition fee of \$180.00 set out in 37 CFR §1.17(i).

§1.97(e) The undersigned Attorney hereby states that:

each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement;  
or

no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, or to the knowledge of the undersigned Attorney after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing date of the Information Disclosure Statement.

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The Examiner is respectfully requested to consider and make of record all of the cited documents.

The Commissioner is authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

**FIRST CLASS CERTIFICATE**

I hereby certify that this correspondence is being deposited today with the U.S. Postal Service as First Class Mail in an envelope addressed to:

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Alan J. Grant, Esq.      11/8/06  
Date

Respectfully submitted,



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Form PTO-1449  <u>INFORMATION DISCLOSURE STATEMENT</u>				Atty. Docket: 760050-91		Serial No.: 10/617,334	
				Applicant: Hayden, et al.			
				Filing Date: 10 July 2003		Group: 1656	
U.S. PATENT DOCUMENTS							
Examiner Initial		Document Number	Date	Name	Class	Sub-Class	Filing Date
	X2						
Examiner Initial					Class	Sub-Class	Translation
	Y2	WO 97/17359	15 May 1997	PCT			
	Z2	WO 98/03548	29 January 1998	PCT			
	A3	WO 98/24818	11 June 1998	PCT			
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)							
	B3	Broach et al., Nature 384 (Supp.): 14-16 (1996)					
	C3	Burbaum et al., Curr. Opin. Chem. Biol. 1:72-78 (1997)					
	D3	Mendez, J. Biol. Chem. 270:5891-5900 (1995)					
	E3						
	F3						
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	J3						
	K3						
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	M3						
	N3						
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Examiner:					Date Considered:		
<b>EXAMINER:</b>		Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.					